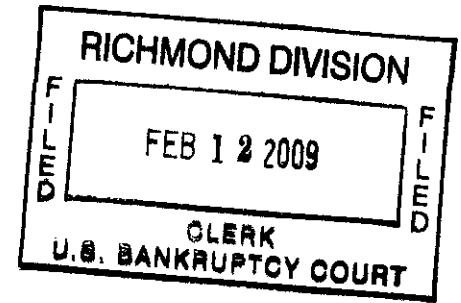


UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION



In re: )  
)  
CIRCUIT CITY STORES, INC., *et al.*, ) Chapter 11  
)  
) Case No. 08-35653-KRH  
Debtors. )  
) Jointly Administered

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STATEMENT OF CURE AMOUNT UNDER  
NON-RESEDENTIAL REAL PROPERTY LEASE WITH  
THE MILLMAN 2000 CHARITABLE TRUST

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The Millman 2000 Charitable Trust ("Millman") hereby submits its Statement of Cure Amount Under the Non-Residential Real Property Lease with the Debtor for 1840 Dell Range, Cheyenne, Wyoming 82001 (Store #1638) ("Statement of Cure")

1. On November 10, 2008 (the "Petition Date"), each of the above-referenced debtors filed voluntary petitions for relief under Chapter 11, Title 11, United States Bankruptcy Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code"), in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division.
2. Jurisdiction in this Court is proper pursuant to 28 U.S.C. §§ 157 and 1334. This proceeding is a core proceeding pursuant to 28 U.S.C. § 157 (b). Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. Millman, as landlord and Circuit City Stores, Inc. (the "Debtor"), as tenant, are parties to a lease pursuant to which the Debtor leased the real property located at 1840 Dell Range, Cheyenne, Wyoming 82001 (Store # 1638).

4. Millman files the within Statement of Cure pursuant to section 365 of the Bankruptcy Code and reserves the right to supplement or amend this Statement of Cure at any time. As of the date of this Statement of Cure, Millman has received no information regarding (i) whether the Debtor intends to assume or reject the Lease; (ii) adequate assurance of the performance of the Lease by any purported assignee; or (iii) any cure schedule prepared by the Debtor.

5. This Statement of Cure is filed pursuant to the Notice of Approval of Order (1) Approving Procedures in Connection with Sale of All or Substantially All of the Business (Docket No. 1454) to reflect the amount necessary to cure under Bankruptcy Code sections 365 (b)(1)(A) and (B) and 365 (f) (2) in connection with any proposed assumption or assignment of the Lease.

6. The Base Rent under the Lease is \$16,958.33 per month . The cure amount for Millman as of February 10, 2009, exclusive of any lease rejection or other, related claims, is not less than:

<b>STATEMENT OF CURE</b>	
Basic Rent for October, 2008	\$ 16,958.33
Basic Rent for November 1-9, 2008	\$ 5,087.50
Additional Rent, & Interest	\$ unknown
Indemnification	\$ 6,000.00-( <i>This amount represents Bond Circuit IV's estimate of attorney's fees which are recoverable by Millman pursuant to the Lease.</i> )
Real Estate Taxes (2 <sup>nd</sup> half 2008)	\$ 5,715.90
<b>TOTAL CURE AMOUNT DUE</b>	<b>\$ 33,761.73</b>

7. In addition, in the event that the lease is rejected, the Debtor as tenant will be indebted to Landlord, pursuant to the Lease Agreement to the extent of unamortized tenant allowances, post-petition rent, etc.

8. As a pre-condition to the assumption and/or assignment of the Lease, the Debtor is required to pay the Cure Amount promptly, plus all other amounts due under the Lease, Including but not limited to, unpaid utilities, insurance, taxes and attorney's fees. See U.S.C. § 365 (b) and (f).

9. The Debtor is obligated to pay all other amounts and obligations which it assumed or agreed to pay or discharge under the Lease, including but not limited to, every fine, penalty, interest and cost. This charge is based upon amounts charged to Millman by its lender due to the Debtor's payment defaults. Interest at the Default Rate (as defined in the Lease) continues to accrue and will be updated and memorialized in a payoff statement upon request.

Respectfully submitted this 11<sup>th</sup> day of February, 2009

LINDQUIST-KLEISSLER & COMPANY, LLC  
*Original Signature is on File at the Law Firm  
Of Lindquist-Kleissler & Company, LLC*

/s/ Arthur Lindquist-Kleissler  
Arthur Lindquist-Kleissler, #9822  
Lindquist-Kleissler & Company, LLC  
950 South Cherry Street, Suite 710  
Denver, Colorado 80246  
(303) 691-9774 – Phone  
(303) 756-8982 - Facsimile  
Email: [arthurlindquistkleissler@msn.com](mailto:arthurlindquistkleissler@msn.com)

**Counsel for The Millman 2000 Charitable Trust**

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the foregoing STATEMENT OF CURE AMOUNT UNDER NON-RESIDENTIAL REAL PROPERTY LEASE WITH THE MILLMAN 2000 CHARITABLE TRUST has been served upon the parties listed below, either by Court's ECF system, U.S. Mail, e-mail, or facsimile, on this 11<sup>th</sup> day of February, 2009:

**Linda K. Myers, Esq.**  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, Illinois 60601

**Gregg Galardi, Esq. [Counsel to the Debtors]**  
Skadden Arps Slate Meagher & Flom, LLP  
One Rodney Square  
P.O. Box 636  
Wilmington, Delaware 19889-0636

**Chris Dickerson, Esq. [Counsel to the Debtors]**  
Skadden Arps Slate Meagher & Flom, LLP  
One Rodney Square  
P.O. Box 636  
Wilmington, Delaware 19889-0636

**Timothy G. Pohl, Esq. [Counsel to the Debtors]**  
Skadden, Arps, Slate, Meagher & Flom, LLP  
333 West Wacker Drive, Suite 2000  
Chicago, Illinois 60606

**Dion W. Hayes, Esq. [Counsel for the Debtors]**  
McGuire Woods LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219

**Douglas M. Foley, Esq.**  
McGuire Woods LLP  
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**David S. Berman, Esq.**  
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Richmond, Virginia 23219

**Paula S. Beran, Esq.**  
Tavenner & Beran, PLC  
20 North Eighth Street, Second Floor  
Richmond, Virginia 23219

**Robert B. Van Arsdale, Esq.**  
Office of the U.S. Trustee  
701 East Broad Street, Suite 4304  
Richmond, Virginia 23219

/s/ Joclyn Pallas  
Joclyn Pallas

*g:\firm\Millman Charitable Trust\Admission to appear pro hac vice\STATEMENT OF CURE AMOUNT,ETC (090211) - Final*

**Lindquist-Kleissler & Company, LLC**  
**Attorneys and Counselors at Law**  
**950 South Cherry Street, Suite 710**  
**Denver, Colorado 80246-2665**  
**(303) 691-9774 - Phone**  
**(303) 756-8982 - Facsimile**

Wednesday, February 11, 2009

**VIA OVERNIGHT MAIL**

William C. Redden  
Clerk of Court  
United States Bankruptcy Court for the Eastern District of Virginia  
Spottwood W. Robinson III & Robert R. Merhige, Jr., U.S. Courthouse  
701 East Broad Street, Suite 4400  
Richmond, Virginia 23219-1888  
804-9162400-Phone  
804-915-9805-Fax

Re: Circuit City Stores, Inc. *et al.*;  
Case No. 08-35653-KRH  
Our Client: Millman 2000 Charitable Trust

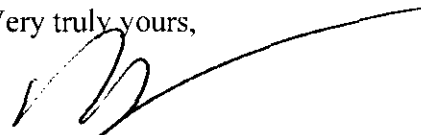
Dear Mr. Redden:

This firm represents The Millman 2000 Charitable Trust, landlord for the store location at 1840 Dell Range, Cheyenne, Wyoming 82001, (Store # 1638). Enclosed for filing please find an original and one (1) copy of the Statement and Cure Amount Under Non-Residential Real Property Lease with The Millman 2000 Charitable Trust; one (1) copy of Motion for Admission to Appear *Pro Hac Vice*; and one (1) copy of the Order regarding Motion to Appear *Pro Hac Vice*.

Kindly file the originals with the Court and return a "file" stamped copy in the enclosed, stamped, self-addressed envelope. As the limited use CM/ECF login and password assigned to attorney Arthur Lindquist-Kleissler, Esq. does not allow us to file these documents electronically, we are filing it conventionally.

Thank you for your time and consideration in this matter.

Very truly yours,



Arthur Lindquist-Kleissler, Esq.

ALK: jp

Enclosure(s): One (1) copy of the Statement and Cure Amount Under Non-Residential Real Property Lease with The Millman 2000 Charitable Trust; one (1) copy of Motion for Admission to Appear *Pro Hac Vice*; and one (1) copy of the Order regarding Motion to Appear *Pro Hac Vice*.

*G:\firm\Millman 2000\admission to appear pro hac vice \letter to clerk to file conventionally (090211)*

**Lindquist-Kleissler & Company, LLC**  
**Attorneys and Counselors at Law**  
**950 South Cherry Street, Suite 710**  
**Denver, Colorado 80246-2665**  
**(303) 691-9774 - Phone**  
**(303) 756-8982 - Facsimile**

Wednesday, February 11, 2009

**VIA OVERNIGHT MAIL**  
**VIA FACSIMILE: 1.804.698.2078**  
**VIA EMAIL: [dhayes@mcguirewoods.com](mailto:dhayes@mcguirewoods.com)**

**Dion W. Hayes, Esq.[Counsel for the Debtors]**  
McGuire Woods LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219  
804.775.1144-Phone  
804.698.2078-Fax  
[dhayes@mcguirewoods.com](mailto:dhayes@mcguirewoods.com)

Re: Circuit City Stores, Inc. *et al.*;  
Case No. 08-35653-KRH  
Our Client: Millman 2000 Charitable Trust

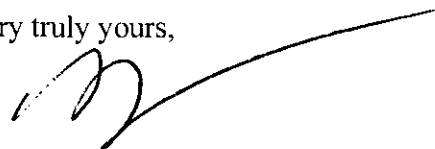
Dear Mr. Hayes:

This firm represents The Millman 2000 Charitable Trust, landlord for the store location at 1840 Dell Range, Cheyenne, Wyoming 82001, (Store # 1638). Enclosed please find an original and one (1) copy of the Statement and Cure Amount Under Non-Residential Real Property Lease with The Millman 2000 Charitable Trust; one (1) copy of Motion for Admission to Appear *Pro Hac Vice*; and one (1) copy of the Order regarding Motion to Appear *Pro Hac Vice*.

As the limited use CM/ECF login and password assigned to attorney Arthur Lindquist-Kleissler, Esq. does not allow us to file these documents electronically, we are filing it conventionally.

Please do not hesitate to contact our office if you have any questions.

Very truly yours,



Arthur Lindquist-Kleissler, Esq.



ALK:jp

Enclosure(s): One (1) copy of the Statement and Cure Amount Under Non-Residential Real Property Lease with The Millman 2000 Charitable Trust; one (1) copy of Motion for Admission to Appear *Pro Hac Vice*; and one (1) copy of the Order regarding Motion to Appear *Pro Hac Vice*; letter to clerk of court to file documents.

*G:\firm\Millman 2000\admission to appear pro hac vice \letter Dion Hayes-counsel for Circuit City to file conventionally (090211)*